

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/822,112

04/08/2004

Stephen L. Heston

1588-3675

1708

7590

10/02/2008

Keith A. Cushing
PO Box 19809
Portland, OR 97280

EXAMINER

LOWE, MICHAEL S

ART UNIT

PAPER NUMBER

3652

MAIL DATE

DELIVERY MODE

10/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Abandonment	Application No.	Applicant(s)	
	10/822,112	HESTON ET AL.	
	Examiner	Art Unit	
	Michael Scott Lowe	3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 September 2006.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Applicant did not file a proper reply to the office actions of 9/27/06 or 2/20/07.

/Michael Scott Lowe/
Examiner, Art Unit 3652

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

KNOX

Bldg./Room

Organization _____ Bldg./Room _____
UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

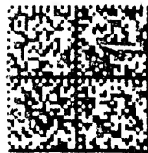
Alexandria, VA. 22313-1450

If Undeliverable Return In Ten Days

Official Business

Penalty For Private Use, \$300

AN EQUAL OPPORTUNITY EMPLOYER



02 1M

000424945

MAILED FROM ZIP CODE 22202

\$ 00.420

OCT 09 2008

MAILED FROM ZIP CODE 22202

MAILED FROM ZIP CODE 22202

RECEIVED

OCT 15 2008

00 10/11/08
00 10/11/08

OFFICE OF THE ATTORNEY GENERAL
STATE OF TEXAS

[illegible]

RETURN TO SENDER

0 40 9 7 6 8 5 4 3 2 1

1. *Chlorophyll a* (Chl a) content was determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm. The concentration of Chl a was calculated using the following formula: $\text{Chl a (mg/L)} = 12.7 \times \text{OD}_{663}$.
 2. *Chlorophyll b* (Chl b) content was determined using a spectrophotometer (Shimadzu UV-1601) at 646 nm. The concentration of Chl b was calculated using the following formula: $\text{Chl b (mg/L)} = 22.9 \times \text{OD}_{646}$.
 3. *Carotenoid* content was determined using a spectrophotometer (Shimadzu UV-1601) at 440 nm. The concentration of carotenoids was calculated using the following formula: $\text{Carotenoid (mg/L)} = 24.4 \times \text{OD}_{440}$.
 4. *Protein* content was determined using a protein assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of protein was calculated using the following formula: $\text{Protein (mg/L)} = 1.0 \times \text{OD}_{595}$.
 5. *Glucose* content was determined using a glucose assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of glucose was calculated using the following formula: $\text{Glucose (mg/L)} = 1.0 \times \text{OD}_{540}$.
 6. *Starch* content was determined using a starch assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of starch was calculated using the following formula: $\text{Starch (mg/L)} = 1.0 \times \text{OD}_{620}$.
 7. *Cellulose* content was determined using a cellulose assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of cellulose was calculated using the following formula: $\text{Cellulose (mg/L)} = 1.0 \times \text{OD}_{540}$.
 8. *Lignin* content was determined using a lignin assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of lignin was calculated using the following formula: $\text{Lignin (mg/L)} = 1.0 \times \text{OD}_{280}$.
 9. *Cellulose* content was determined using a cellulose assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of cellulose was calculated using the following formula: $\text{Cellulose (mg/L)} = 1.0 \times \text{OD}_{540}$.
 10. *Lignin* content was determined using a lignin assay kit (Bio-Rad) according to the manufacturer's instructions. The concentration of lignin was calculated using the following formula: $\text{Lignin (mg/L)} = 1.0 \times \text{OD}_{280}$.